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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/579,349	01/30/2007	Kug-Jin Yun	51876P1077	2142
8791 7590 08/01/2011 BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP 1279 OAKMEAD PARKWAY SUNNYVALE, CA 94085-4040				
EXAMINER				
OH, ANDREW CHUNG SUK				
ART UNIT		PAPER NUMBER		
2466				
MAIL DATE		DELIVERY MODE		
08/01/2011		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/579,349

Applicant(s)

YUN ET AL.

Examiner

ANDREW OH

Art Unit

2466

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 March 2011.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 16-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 16-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-912)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

1. DETAILED ACTION

2. Continued Examination Under 37 CFR 1.114

3. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 2011/03/22 has been entered.

4. Claim Objections

5. Claim 22, 23, 24 objected to because of the following informalities: claim 22, 23, 24 depend on non-existent claim 6, the examiner will assume that claim 22, 23, 24 depends on claim 21 for examination purposes. Appropriate correction is required.

6. Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

8. A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. **Claim 16, 17, 18, 20, 21, 22, 23, 24 rejected under 35 U.S.C. 103(a) as being unpatentable over Konrad (US-5974444), and further in view of Serbanescu (US-20030162595).**

10. As to claim 16, 21: Konrad teaches a method for processing video/audio data synchronized with sensory data, comprising the steps of: receiving multiplex data (**fig.3c and 7:16-19, 39-45, 10:12-18: a server performs multiplexing and de-multiplexing of data**) including video/audio data and sensory data in a predetermined form where the video/audio data is ***presented together*** with the sensory data (**fig.1, 10 and 9:1-59, 13:45-49, 21:1-45, ESP 9:30-40, 50-59: convey data from computer to human user including sound, tactile, touch, vision, taste or smell**), wherein the sensory data describes at least one of a touch, an odor and a taste which is to be expressed with the video/audio data (**21:35-44: video, audio, olfactory, tactile, and gustatory data presented together through human interface service**); demultiplexing the multiplex data (**fig.3c and 7:16-19, 39-45, 10:12-18: a server performs multiplexing and de-multiplexing of data**) into the video/audio data and the sensory data; and outputting the video/audio data ***presented together*** with at least one of the touch, the odor and the taste according to the sensory data, wherein the touch, the odor and the taste are outputted through a touch device, an odor device and a taste device, respectively (**21:35-44: video, audio, olfactory, tactile, and gustatory data presented together through human interface service; 9:30-40 and 9:50-59: output portions**).

11. Konrad may not explicitly teach synchronizing video / audio data with sensory data. However, Serbanescu teaches synchronizing video / audio data with sensory data ([0005, 0008, 0030, 0059-0061]).

12. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the teachings of Serbanescu into Konrad since Konrad suggests presenting video, audio, olfactory, tactile, and gustatory together to the user (21:35-44) in general and Serbanescu suggests synchronizing output media, such as taste, odor, touch along with audio and video, the motivation being to present an interactive media experience involving all the senses ([0005, 0008, 0030, 0059-0061]).

13. As to claim 17: Konrad teaches the method as recited in claim 1, further comprising the step of: transmitting the multiplex data to a receiver (fig.3c, 102, 110 and 7:16-19, 39-45, 10:12-18: a server performs multiplexing and de-multiplexing of data).

14. As to claim 18, 22: Konrad teaches the method as recited in claim 1, 6, wherein the sensory data describing the touch includes information on at least one of whether the touch is described, whether right/left movement is described, whether up/down movement is described, whether back/forth movement is described, a distance of movement, a speed of movement, an acceleration of movement, whether right/left rotation is described, an angle of right/left rotation, a speed of right/left rotation, and an

acceleration of right/left rotation **(9:50-59: touch is described by pressure or temperature)**.

15. As to claim 19, 23: Konrad teaches the method as recited in claim 1, 6, wherein the sensory data describing the odor includes information on at least one of whether the odor is described, a kind of the odor, and an intensity of the odor **(13:45-49: olfactory expression, i.e. description)**.

16. As to claim 20, 24: Konrad teaches the method as recited in claim 1, 6, wherein the sensory data describing the taste includes information on at least one of whether the taste is described, a kind of the taste, and an intensity of the taste **(13:45-49: gustatory expression, i.e. description)**.

17. Conclusion

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANDREW OH whose telephone number is (571)270-5273. The examiner can normally be reached on M-F 8:30AM - 5AM EST.

19. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Ryman can be reached on (571)272-3152. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

20. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

21.

22.

23. /A. O./

24. Examiner, Art Unit 2466

/Daniel J Ryman/
Supervisory Patent Examiner, Art Unit 2466